

Application No. 10/567,011
August 29, 2007
Reply to the Office Action dated May 4, 2007
Page 6 of 9

REMARKS/ARGUMENTS

Claims 10, 12, 13, and 15-22 are pending in this application. By this Amendment, Applicant amends Claims 10 and 12 and cancels Claims 11 and 14.

Applicant appreciates the Examiner's indication that Claims 20-22 are allowed, and that Claim 15 would be allowable if rewritten form including all of the features of the base claim and any intervening claims.

Claims 10 and 16-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tanaka (JP 2001-155959). Claims 10 and 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ahiko et al. (U.S. 2003/0011963). Claims 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanaka in view of Takahashi (JP 09-129476). Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanaka in view of Sumio et al. (JP 63-36677). Claims 11 and 14 have been canceled. Applicant respectfully traverses the rejections of Claims 10, 12, 13, and 16-19.

Claim 10 has been amended to recite:

A multilayer capacitor comprising:

a main body having first and second main surfaces and four side surfaces connecting the first and second main surfaces to each other, a plurality of dielectric layers, at least one pair of first and second internal electrodes between the dielectric layers and opposed to each other so as to generate an electrostatic capacitance; and

first and second external terminal electrodes arranged on an external surface of the main body so as to be electrically connected to the first and second internal electrodes, respectively; wherein

each of the first and second internal electrodes has a capacitance generating portion arranged to generate the electrostatic capacitance, a terminal connecting portion connected to the external terminal electrode, and an extended portion connecting the capacitance generating portion to the terminal connecting portion; and

the extended portion of at least one of the internal electrodes is narrower than the capacitance generating portion and the terminal connecting portion;

the multilayer capacitor further comprises at least one dummy electrode arranged so as to be layered on the terminal connecting

portion of the at least one of the internal electrodes; and
an end of the at least one dummy electrode extends toward a position opposed to a lengthwise intermediate portion of the extended portion of the at least one of the terminal electrodes so as to cause the extended portion of the at least one of the internal electrodes to be curved in a direction of its thickness at a position opposed to the end of the at least one dummy electrode. (emphasis added)

With the unique combination and arrangement of features recited in Applicant's Claim 10, including the features of "the extended portion of at least one of the internal electrodes is narrower than the capacitance generating portion and the terminal connecting portion," "the multilayer capacitor further comprises at least one dummy electrode arranged so as to be layered on the terminal connecting portion of the at least one of the internal electrodes," and "an end of the at least one dummy electrode extends toward a position opposed to a lengthwise intermediate portion of the extended portion of the at least one of the terminal electrodes so as to cause the extended portion of the at least one of the internal electrodes to be curved in a direction of its thickness at a position opposed to the end of the at least one dummy electrode," Applicant has been able to provide a multilayer capacitor having an increased ESR (see, for example, the paragraph bridging pages 6 and 7 of the Substitute Specification).

The Examiner alleged that each of Tanaka and Ahiko et al. teaches all of the features recited in Claim 10, and that the combination of Tanaka and Takahashi teaches all of the features recited in Claim 11. The Examiner acknowledged that Tanaka and Ahiko et al. fail to teach or suggest any dummy electrodes. The Examiner alleged that Takahashi teaches dummy electrodes layered over and under first and second internal electrodes. Thus, the Examiner alleged that it would have been obvious "to modify the capacitor of [Tanaka] '959 using dummy layers as taught by [Takahashi] '076."

Claim 10 has been amended to recite the features of "the extended portion of at least one of the internal electrodes is narrower than the capacitance generating portion

Application No. 10/567,011
August 29, 2007
Reply to the Office Action dated May 4, 2007
Page 8 of 9

and the terminal connecting portion," "the multilayer capacitor further comprises at least one dummy electrode arranged so as to be layered on the terminal connecting portion of the at least one of the internal electrodes," and "an end of the at least one dummy electrode extends toward a position opposed to a lengthwise intermediate portion of the extended portion of the at least one of the terminal electrodes so as to cause the extended portion of the at least one of the internal electrodes to be curved in a direction of its thickness at a position opposed to the end of the at least one dummy electrode." Support for these features is found, for example, in originally filed Claims 11 and 14, and in paragraphs [0045] and [0079] of the Substitute Specification.

At best, Takahashi merely teaches dummy electrodes which are included in a capacitor. However, Takahashi fails to teach or suggest any specific positional relationship between ends of the dummy electrodes and the internal electrodes, or that any portion of the internal electrodes could or should be curved. Thus, Takahashi is completely unrelated to a curvature of any of the internal electrodes, and certainly fails to teach or suggest that the dummy electrodes could or should be arranged so as to cause any portion of any internal electrode to curve.

Furthermore, the alleged curved extended portions A of the internal electrodes of Tanaka are formed independently of any dummy electrodes. In fact, internal electrodes of Tanaka are merely formed so as to have curved end portions. Thus, even if the dummy electrodes taught by Takahashi were included in the capacitor of Tanaka, the dummy electrodes would certainly not cause the extended portions of the internal electrodes of Tanaka to curve in a direction of the thickness of the capacitor.

In other words, neither Tanaka nor Takahashi teaches or suggests any interrelationship between the position or location of any portion of a dummy electrode and the curvature of the internal electrodes.

Thus, the combination of Tanaka and Takahashi clearly fails to teach or suggest the feature of "an end of the at least one dummy electrode extends toward a position opposed to a lengthwise intermediate portion of the extended portion of the at least one

Application No. 10/567,011
August 29, 2007
Reply to the Office Action dated May 4, 2007
Page 9 of 9

of the terminal electrodes so as to cause the extended portion of the at least one of the internal electrodes to be curved in a direction of its thickness at a position opposed to the end of the at least one dummy electrode" as recited in Applicant's Claim 10.

Accordingly, Applicant respectfully submits that the Tanaka and Takahashi, applied alone or in combination, fail to teach or suggest the unique combination and arrangement of features recited in Applicant's Claim 10.

In view of the foregoing amendments and remarks, Applicant respectfully submits that Claim 10 is allowable. Claims 12, 13, and 15-19 depend upon Claim 10, and are therefore allowable for at least the reasons that Claim 10 is allowable. Claims 20-22 have been allowed by the Examiner.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extend necessary, Applicant petitions the Commissioner for a One-Month Extension of Time, extending to September 4, 2007, the period for response to the Office Action dated May 4, 2007.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

Dated: August 29, 2007

/Christopher A. Bennett #46,710/
Attorneys for Applicant

KEATING & BENNETT, LLP
8180 Greensboro Drive, Suite 850
Tyson's Corner, VA 22102
Telephone: (703) 637-1480
Facsimile: (703) 637-1499

Joseph R. Keating
Registration No. 37,368
Christopher A. Bennett
Registration No. 46,710